GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PS – PR&RD Department - Allegations of irregularities in construction of toilets and usage of substandard material under "Mana Badi Nadu Nedu Phase works" in Z.P. High School, P. Gannavaram, E.G. District - Disciplinary proceedings against Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charges - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.78 **Dated: 25.02.2022.**

Read :

G.O.Rt.No.75, PR&RD (Vig. I) Department, Dt: 25.02.2022.

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ORDER:

It is proposed to hold an inquiry against Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He, should, therefore, specifcally admit or deny each article of charge.

5. Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District, is further informed that if he does not submit his written statement of defence on or before the date specifed in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District (w.e)
through Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.

(P.T.O.,)

The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve the charges on the individual and furnish a served copy to Govt.,)

Copy to:-

The Secretary to VC, A.P. Vigilance Commission, Velagapudi.
The School Education (Progs. II) Department.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI K. ANANDA BABU , ASSISTANT EXECUTIVE ENGINEER, PR, P.GANNAVARAM

Charge No-1: That Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District has violated all the instructions issued under Nadu-Nedu in terms of structural designs for toilet construction and he utilized unbranded local material like sanitary ware & ceramic tiles in construction of toilets etc., in Z.P. High School, P. Gannavaram, E.G. District under "Mana Badi Nadu Nedu Phase works" resulting that the works so executed were poor at quality and shabby which has been noticed by the High Level Delegation of School Education Department during their visit on 11.08.2021 inspite of clear instructions to procure only certain branded items manufactured by Original Equipment Manufacturers (OEMs). This shows clearly the callous attitude and insubordination on his part to obey the orders of the Government in ensuring highest quality civil works by way of direct participation in procurement or in the role of a Supervisor and his participation is minimal.

Charge - 2: That Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District has violated all the instructions issued under Nadu-Nedu in terms of structural designs for toilet construction in Z.P. High School, P. Gannavaram, E.G. District and providing RCC precast Jollies and ventilators for the Girls toilets in Z.P. High School, P. Gannavaram, as against the steel ventilators specified in the drawings in deviation of plans. These RCC precast ventilators are subsequently removed and replaced with steel grills ventilators by the time of launching the programme by the Hon'lbe C.M's visit. This shows clearly the callous attitude and insubordination on his part in deviation of drawings and to obey the orders of the Government in ensuring higher quality civil works.

Charge-3 : That Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District has violated all the instructions issued under Nadu-Nedu in terms of structural designs and he allowed and procured the boxes non approved brand tile and stacked at Bhavitha Room and at Drinking Water shed in the Z.P. High School P.Gannavaram, for usage, which were noticed during the visit by the High Level Delegation of School Education Department on 11.08.2021, inspite of clear instructions to use the standard material. After noticing the same, the same were removed, otherwise the same would have been utilized in construction. This shows clearly the callous attitude and insubordination on his part to obey the orders of the Government in ensuring highest quality civil works by way of direct participation in procurement or in the role of a Supervisor.

By his above mentioned acts, Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District failed to discharge his duties, exhibited lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government servant and thereby contravened Rule 3(1) and 3(2) of APCS (Conduct) Rules 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI K. ANANDA BABU , ASSISTANT EXECUTIVE ENGINEER, PR, P.GANNAVARAM.

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The School Education (Prog.II) Dept., In their U.O.Note No.ESE01 SEDNOCSE/810/2021-PROG.II, dt.17.8.202, have informed that the High level delegation consisting the team of the Principal Secretary to Govt., School Education Dept. along with Advisor to Govt. (Infra) School Education Dept., Director of School Education, A.P. and the State Project Director, Samagra Shiksha have visited P. Gannavaram High School in East Godavari Dist. on 11.08.2021 to inspect 'Mana Badi Nadu Nedu Phase-I works' in view of the school being identifed for the launch of Nadu Nedu Phase-II by the Hon'ble Chief Minister on 16th August, 2021. During the inspection, it was found that Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District have violated all instructions issued under Nadu Nedu in terms of structural designs for toilets construction and procured and utilized unbranded local material like sanitary ware and ceramic tiles inspite of clear instructions to procure only branded items manufactured by reputed Original Equipment Manufacturers (OEMS).

In particular, it was observed that in preparation for the Hon'ble C.Ms. visit also unbranded local material was procured and in the process of utilization inspite of clear directions to accord highest priority to quality in construction under Nadu Nedu programme which has been shared in video recording in the weekly review meting and reiterated many times by the Principal Secretary to Government, School Education Department in every review meeting attended by all the Engineers along with Joining Collectors (Development).

This shows clearly the callous attitude and insubordination on the part of the P.R. Engg. Personnel who is duty bound to obey the orders of the Government in ensuring highest quality civil works by way of direct participation in procurement or in the role of a Supervisor. Hence, the Principal Secretary, School Education Department has requested to take immediate action against the above Executive Engineer of Panchayati Raj Department and to initiate disciplinary proceedings.

Accordingly, the Engineer-in-Chief, Panchayat Raj, A.P vide Memo No. Vig. II/534/2021, Dt: 08.09.2021 has requested the Superintending Engineer, PR, Eluru to conduct detailed and submit the enquiry report.

The S.E.,PR, Eluru vide his Lr.Rc.No.B1/Enquiry of East Godavari/ 2021, Dated: 06.12.2021 has furnished his report duly stating that, he has conducted enquiry on 27.10.2021 and inspected the works executed under Mana Badi Nadu-Nedu programme in the ZP High Scholl at P. Gannavaram. As reported by the Engineers, Head Master and Parents Committee Chairman, the works have been executed in two phases.

Phase-I :

Most of the works are completed by the Month of 05/2021 i.e., before the proposed visit of Hon'ble Chief Minister. The following are unfinished works.

1) Drinking Water shed: Structure completed, machinery is fixed, doors fixed (Wooden frame with steel sheets) and finishings are to be completed.
2) No work is done in Bhavitha room.
3) No work is done in sports room.

Phase-II:

The following re-works and new works, are done for the Hon'ble Chief Minister visit.

New works: - Bavitha room, sports room are renovated with new tiled flooring (Johnson tiles) and with wall art etc., Incomplete drinking water shed is completed duly completing flooring, painting etc.

Re-work:- Stained and soiled tiles of all the toilets are replaced. The tiles got stained & soiled as the toilets are already completed and in use. The girls toilet marked as 12 in the drawing is converted into boys toilet.

Pre-cast RCC ventilators provided for girls toilets at 12 and 21 and 22 are replaced with steel grills ventilators. Doors with steel sheets mounted on wooden frames fxed to all the toilets are replaced with Ahlada make solid doors.

The S.E,PR, Eluru has informed that, the enquiry is conducted on the two main defects pointed out by the High Level Delegation of School Education Department :

I) Usage of substandard quality materials:-

The following are the works executed before the visit of High Level Delegation of School Education Department on 11.08.2021.

1. New Toilet for Boys:- 1 unit complete new construction, marked as (2) in the drawing.
2. New Toilet for Boys:- 1 unit complete new construction, marked as (3) in the drawing.
3. Repairs to Class Rooms:- marked as 8,9,10 and 11 in the drawing
    i. Flooring patch work is done with Johnson tiles wherever the existing tiles are damaged.
    ii. New wiring is done with concealed wiring with Gold Medal & Finolex wires, switches & switch boards.
    iii. New fans of Crompton make (Central procurements materials supplied) are fixed.
    iv. Flooring is done with Somany make tiles for the Verandah of the class rooms in the ground floor.
4. New toilet for girls that complete new construction marked as 12 in the drawing. This girls toilet is subsequently converted as boys toilet at the time of Hon'ble Chief Minister's visit.
5. Paver blocks flooring is complete in the area in front of the HM room block marked as 14, 23,& 24.
6. Repairs to old girls toilet of 10 Nos and 1 No. store room are done. Old damaged doors are replaced with doors of steel sheet mounted on wooden frame. (subsequently there are replaced with Ahlada make solid doors) – marked as 18 & 19 in drawing.
7. Old unfinished toilets: 2 units which are open to sky are repaired by raising the back wall & providing with steel sheet doors – marked as (20) in drawing.
8. New toilet for girls – 2 units:- marked as (21) & (22) in drawing, constructed with RCC Jollies as ventilators and with Somany floor & wall tiles with Cera make sanitary fittings.

The Engineers and the parents committee stated that they have provided the following branded fixtures in the toilets.
Tiles :- Somany
Sanitary ware:- Parryware (local purchase) and Cera (CPM supply)
Pipes :- Sudhakar or Ashirvad
Switches, Switch Boards, wires:- Gold Medal.

The make of the tiles used by the parents committee in the toilets (before the tiles are dismantled for the Hon'ble Chief Minister visit) could not be verifed as the tiles are completely removed and thrown away by 16.08.2021 (at the time of Hon'ble Chief Minister visit) and replaced with Johnson tiles.

Purchase invoices available in the files are verifed but the brand of the tiles are not mentioned in the purchase invoices. But the make of the tiles are recorded as Somany in M.Books vide Page No. 50 of MB 5A/2019-20, Page 40/MB 6A/2019-20. Sanitary ware of parry ware make is observed wherever they are not replaced for Hon'ble Chief Minister's visit. Sanitary ware of Cera make an observed. Sudhakar and Ashirvad PVC pipes are observed for electrical conduit lines and water supply lines. Gold medal switches and switch boards are observed in all the rooms.

Hence he could not observe any evidence for the use of substandard material for the works done before the visit of the Principal Secretary, School Education.

Now, coming to the observations of the High Level Delegation of School Education Depatment during their visit, the Engineers and parents committee accepted the fact that boxes of non approved brand tiles are stacked at Bhavitha room and at Drinking water shed. Parents committee chairman stated that he asked a local tile shop owner to supply tiles urgently and the shop owner sent non approved brand tiles and stacked them at Bhavitha room and at drinking water shed. The Engineers and committee chairman told that they have no intention of using these tiles. And these tiles are removed from site as soon as they are pointed out by the Principal Secretary of School Education and subsequently only Johnson tiles are used.

II Deviation in plan:

It is observed that all the toilets are fixed with steel grills at roof level as on the inspection date. But the Engineers and the committee chairman stated the following:

They have provided steel grills at roof level for all the boys toilets (new) (of no.2 & no.3 in the figure)

They have provided pre-cast RCC ventilators for girls toilets for block 12, 21 & 22. They are stating that the parents committee, the girls students & women teachers requested to fix pre-cast RCC grills as ventilators, but not open steel grills as the toilets are located by the side of the road/ coconut garden and as they are afraid of miscreants misusing, the open grill area.

He has inspected all the construction works and found no cracks or any other defects, in the new construction.

The S.E,PR, Eluru has concluded his report :

1. Usage of substandard material : He has submitted that substandard material usage cannot be ascertained except that non approved brand tiles are stacked at the site at the time of visit of the High Level Delegation of School Education Department and it is not possible to ascertain whether it is done with a malafide intention of using of the substandard tiles stacked at site at an important time of Hon'ble Chief Minister's visit.

2. Deviation in plan: Deviation of plan has occurred in only providing pre-cast RCC Jollies ventilators in place of open steel grills. The result is poor ventilation and lighting in the girls toilets. The Engineers and parents committee members already explained the reasons for providing the pre-cast RCC Jollies as ventilators for girls toilets only but not for Boys toilets. Finally these RCC ventilators are replaced with steel grills by the time of the visit of the Hon'ble Chief Minister.

There is no major lapses or defciencies in the work executed and no usage of substandard materials in the works executed can be ascertained and submitted that no cracks are observed and there were no defects or distress in construction of the works executed. The only lapse observed is that of providing RCC pre-cast Jollies as ventilators for the girls toilets, as against the steel grills ventilators specifed in the drawings. These RCC pre-cast ventilators are subsequently removed and replaced with steel grills ventilators by the time of launching of program by the Hon'ble Chief Minister's visit.

From the report of S.E,PR, Eluru, it has been observed among others that the boxes of non approved brand tile are stacked at Bhavitha room and at Drinking Water shed in the ZP High School premises. As soon as they are pointed out by the High

Level Delegation of School Education Department, the same were removed and subsequently Johnson tile were used. Otherwise, the substandard quality of material would have been used in construction.

Further, it has been reported by the School Education Department that the work so executed were poor in quality and shabby and the Engineering participation is minimal and the Engineering personnel allowed substandard quality of material as could be seen from the Bhavitha room and Drinking Water shed where the same were stacked. Further, they have also deviated the plan in providing precast RCC Jollies ventilators in place of open steel grills.

From the above, it is evident that Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District has violated all instructions issued under Nadu-Nedu in terms of structural designs for toilets construction and procured and utilised substandard local material. The preliminary enquiry report dated 6.12.2021 of S.E.,PR,Eluru strengthens about substandard material procurement which has been noticed during the visit of the High Level Delegation of School Education Department during their visit on 11.08.2021.

This shows clearly the callous attitude and insubordination on the part of Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District to obey the orders of the Government in ensuring highest quality civil works by way of direct participation in procurement or in the role of a Supervisor.

Thus, Sri K. Ananda Babu, Assistant Executive Engineer, PR, P. Gannavaram, E.G. District has failed to discharge his duties, exhibited lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government servant and thereby contravened Rule 3(1) and 3(2) of APCS (Conduct) Rules 1964.

Hence, the charges.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE DRAFT ARTICLE OF CHARGE FRAMED AGAINST SRI K. ANANDA BABU , ASSISTANT EXECUTIVE ENGINEER, PR, P.GANNAVARAM ARE PROPOSED TO BE SUSTAINED

1. U.O.Note No.ESE01-SEDNOCSE/810/2021-PROG.II, dt.17.8.2021 of School Education (Prog.II) Dept.
2. Letter Rc.No.B1/Enquiry of East Godavari/ 2021, Dated: 06.12.2021 of the Superintending Engineer, PR, Eluru.
3. Govt. Memo No.PRR01/82/2021-VIG.I/2021-2, dt. 19.01.2022 of PR&RD(Vig.I)Dept.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE DRAFT ARTICLE OF CHARGE FRAMED AGAINST SRI V. CHANDRA SEKHAR, DEPUTY EXECUTIVE ENGINEER, PR, P.GANNAVARAM, EAST GODAVARI DISTRICT ARE PROPOSED TO BE SUSTAINED

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- NIL -

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER